

Notice of Allowability

Application No.

09/652,113

Applicant(s)

CORLEY ET AL.

Examiner

Kenneth R. Coulter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment After Final on 3/2/06.
2. ☒ The allowed claim(s) is/are 5-35.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John G. Rickenbrode (Reg. No. 57,067) on 4/14/06.

2. The application has been amended as follows:

After "level" (claim 25, line 14) insert -- **by** --.

Drawings

3. The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

Figures 4A, 4B, 6, 7, 8, 9, 10, 11, 12, and 15 are hand printed and difficult to read.

Figures 3, 4A, and 15 are upside down.

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

REASONS FOR ALLOWANCE

4. The following is an examiner's statement of reasons for allowance:

The prior art of record does not specifically disclose or remotely suggest

With regard to independent claim 24:

A method of distributing media data to a client computer via a network from a host computer, comprising:

launching a module on the client computer;

receiving a client computer specific parameter from the module on the client computer;

streaming media to the client from the host via the network **according to the client computer specific parameter;**

processing every block from a grid of blocks according to the following:

determining a cross correlation by comparing an individual block from a current grid of blocks with a corresponding individual block from a previous grid of blocks;

if the cross correlation is below a predetermined threshold, then **calculating the variance in the brightness of the block over the corresponding block of the previous image;**

if the variance in the brightness is above a variance threshold, then **marking the block as having motion;**

if the variance in the brightness is below the variance threshold level, then **marking the block as not having motion;**

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if the cross correlation is above the predetermined threshold level,
then marking the block as not having motion; and
repeating the processing until video motion detection is determined
for every block in the grid.

With regard to independent claim 25:

A method of distributing media data to a client computer via a network from a
host computer, comprising:

launching a *module* on the client computer;

receiving a client computer specific parameter from the module on
the client computer;

streaming media data to the client computer from the host computer via
the network **according to the client computer specific parameter;** and

determining motion detection on a block level *by* comparing the
current video frame to the reference video frame such that a number of
blocks with motion detection is determined;

calculating **a *fraction* of video blocks having motion;**

if the fraction is below a low threshold value, then no motion is detected
for the current video frame;

if the fraction is above the low threshold value, then determining if the
fraction is below a medium threshold value;

if the fraction is below the medium threshold value, then **performing a**
***slight response* and logging subsequent images;**

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if the fraction is above the medium threshold value, then determining if the fraction is below a high threshold value;

if the fraction is below the high threshold value, then **performing a moderate response and logging subsequent images**; and

if the fraction is above the high threshold value, then **performing a severe response, and logging subsequent images**.

5. These limitations, in conjunction with the other limitations in the independent claims, are not specifically disclosed or remotely suggested in the prior art of record.

6. A review of claims 5 – 35, in view of the Examiner's arguments above, indicates that claims 5 – 35 are allowable over the prior art of record.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Guetz et al. U.S. Pat. No. 6,091,777 Continuously Adaptive

Digital Video Compression System and Method for a Web Streamer

A continuously adaptive video compression system for web streaming. Motion is detected by "determining whether a threshold of movement within blocks of image transform coefficients of a frame has been exceeded." (claim 3).

Ramasastri et al. U.S. Pat. Pub. No. 2005/0207495 Methods and

Apparatuses for Compressing Digital Image Data with Motion Prediction

An apparatus for compression of image data utilizing prediction of motion.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R. Coulter whose telephone number is 571 272-3879. The examiner can normally be reached on 5 4 9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KENNETH R. COULTER

PRIMARY EXAMINER



krc